

101 85-181-A **PETITION FOR ZONING VARIANCE** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.6 (V.B.7 - C.M.D.P.) to permit a private space factor of 306 square feet instead of the required 500 square feet, and to allow an amendment to the development plan by constructing the proposed deck outside of the allowable building area.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. To allow for the construction of a 12' x 12' open deck on the rear outside of the permitted building area; said deck to be constructed over an existing 8' x 10' broken concrete slab.
2. Construction of the deck is to allow for floor level rear access to the permanent building structure and to bridge an area of poor drainage.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name) Lois L. Sheppard

Signature *Lois L. Sheppard*

Address 18 Bohn Ct. (301) 574-3926

City and State Baltimore, Maryland 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address 18 Bohn Ct. (301) 574-3926

City and State Baltimore, Maryland 21204

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Address 18 Bohn Ct. (301) 574-3926

City and State Baltimore, Maryland 21204

Attorney's Telephone No.:

ORDERED BY The Zoning Commissioner of Baltimore County, this 13th day of November, 1984, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of January, 1985, at 10:45 o'clock A.M.

Carl J. Jablon
Zoning Commissioner of Baltimore County.

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

MICROFILMED

MICROFILMED

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE December 20, 1984

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

Ms. Lois L. Sheppard
18 Bohn Court
Baltimore, Maryland 21237

ofo
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 121 - Case 85-181-A
Petitioner - Lois L. Sheppard
Variance Petition

Dear Ms. Sheppard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The praiseworthiness of the zoning action requested, but to assure that all parties are made aware of plans or problems with this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

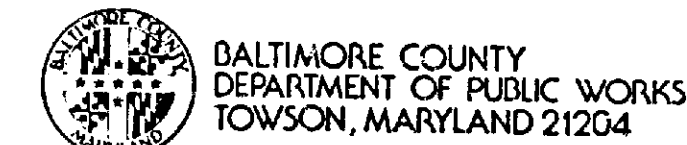
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bsc

Enclosures



HARRY J. PISTEL, P.E.
DIRECTOR

December 10, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #121 (1984-1985)
Property Owner: Lois L. Sheppard
N/S Bohn Ct. 155' E. from centerline
Trimble Way
Acres: 18 x 75
District: 14th

Dear Mr. Jablon:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General Comments:

As no public facilities are involved, this office has no comment.

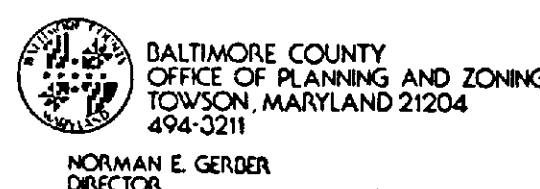
The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Very truly yours,

James A. Markle
JAMES A. MARKLE, P.E., Chief
Bureau of Public Services

JAM:EAM:REC:ss



Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

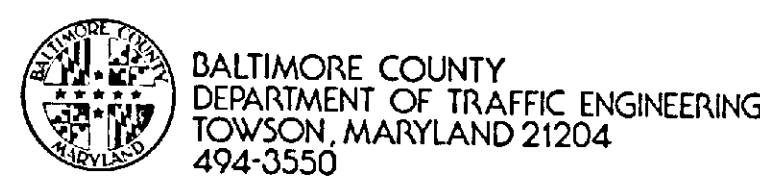
Re: Zoning Advisory Meeting of 11/13/84
Item # 121
Property Owner: Lois L. Sheppard
Location: N/S Bohn Court
E of Trimble Way

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- (X) There are no site planning factors requiring comment.
- () A County Review Group Meeting is required.
- () A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- () This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- () A record plat will be required and must be recorded prior to issuance of a building permit.
- () The access is not satisfactory.
- () The circulation on this site is not satisfactory.
- () The parking arrangement is not satisfactory.
- () Parking calculations must be shown on the plan.
- () This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- () Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- () Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- () The amended Development Plan was approved by the Planning Board on _____.
- () Landscaping should be provided on this site and shown on the plan.
- () The property is located in a deficient service area as defined by B111 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is _____.
- () The property is located in a traffic area controlled by a "D" level intersection as defined by B111 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- () Additional comments: _____

Eugene A. Bober
Eugene A. Bober
Chief, Current Planning and Development



STEPHEN E. COLLINS
DIRECTOR

December 12, 1984

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 121, 122, and 125 ZAC- Meeting of November 13, 1984
Property Owner:
Location:
Existing Zoning:
Proposed Zoning:

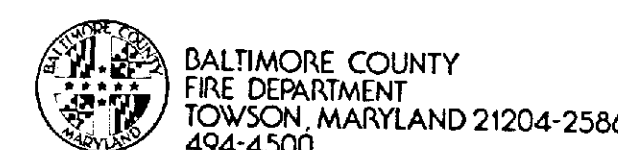
Acres:
District:

Dear Mr. Jablon:

The Department of Traffic Engineering has no comments for item numbers 121, 122, and 125.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Assoc. II

MEF/cam



PAUL H. REINCKE
CHIEF

November 23, 1984

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Lois L. Sheppard

Location: N/S Bohn Court 155' E. from c/1 Trimble Way

Item No.: 121 Zoning Agenda: Meeting of 11/13/84

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWER: *George M. Hagan*
Planning Group Approved: *George M. Hagan*
Special Inspection Division Fire Prevention Bureau

/mb

85-181-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 13th day of November, 1984.

Petitioner: Lois L. Sheppard
Petitioner's Attorney:

ARNOLD JABLON
Zoning Commissioner

Received by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BUREAU OF ENGINEERING - BALTIMORE COUNTY, MD

MAY 15 1985

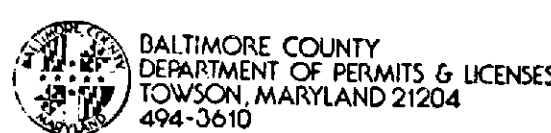
ORDER RECEIVED FOR FILING

DATE January 4, 1985
BY [Signature]
ADMINISTRATIVE ASSISTANT

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 4th day of January, 1985, that the herein Petition for Variance(s) to permit a private space factor of 306 square feet in lieu of the required 500 square feet and to amend the development plan for the construction of a 12'x12' deck outside of the allowable building area, as indicated on Petitioner's Exhibit 2, is GRANTED, from and after the date of this Order.

[Signature]
Deputy Zoning Commissioner
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

November 20, 1984

TED ZALESKI, JR.
DIRECTOR
Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 121 Zoning Advisory Committee Meeting are as follows:

Property Owner: Lois L. Sheppard
Location: N/S Bohn Court 155' E. from c/l Trimble Way
Existing Zoning: D.R. 16
Proposed Zoning: Variance to permit a private space factor of 306 sq. ft. in lieu of the required 500 square feet.

Area: 18 x 75
District: 11th.

The items checked below are applicable:

A. All structures shall conform to the Baltimore County Building Code 1981/Council Bill 1-82 and all other applicable codes.

B. A building/other miscellaneous permit shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is not required. Non-reproduced seals and signatures are required on Plans and Technical Data.

D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

NOTE: E. An exterior wall erected within 6'0" for Commercial uses or 3'0" for One & Two Family use group of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'0" of lot lines. A firewall is required if construction is on the lot line, see Table 401, line 2, Section 1407 and Table 1402, also Section 903.2.

F. Requested variance appears to conflict with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that, the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

I. Comments - Side setbacks are not shown.

NOTE: These comments reflect only on the information provided by the drawings submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired, additional information may be obtained by visiting Room 122 (Plans Review) at 111 W. Chesapeake Ave., Towson.

Very truly yours,

[Signature]
Charles E. Burnham, Chief
Plans Review

CEB:es

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner

Date: December 19, 1984

Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petitions: No. 85-172-A, 85-177-A, 85-178-A,
85-180-A and 85-181-A

There are no comprehensive planning factors requiring comment on these petitions.

[Signature]
Norman E. Gerber, Director

Ms. Lois L. Sheppard
18 Bohn Court
Baltimore, Maryland 21237

November 30, 1984

NOTICE OF HEARING

RE: Petition for Variance
N/S of Bohn Court, 155' E
of the c/l of Trimble Way
(18 Bohn Court)
Lois L. Sheppard - Petitioner
Case No. 85-181-A

TIME: 10:45 a.m.

DATE: Wednesday, January 2, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake
Avenue, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 134322

DATE: 12-26-84 ACCOUNT: D-01615-000

AMOUNT: 35.00

RECEIVED BY: [Signature]
N. E. Gerber, Director

6 125*****35091a #294F

VALIDATION OR SIGNATURE OF CASHIER

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
N/S of Bohn Ct., 155' : OF BALTIMORE COUNTY
E of the Centerline of :
Trimble Way (18 Bohn Ct.) : Case No. 85-181-A
14th District :

L. IS L. SHEPPARD, Petitioner :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

[Signature]
Phyllis Cole Friedman
People's Counsel for Baltimore County

[Signature]
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204

I HEREBY CERTIFY that on this 14th day of December, 1984, a copy of the foregoing Entry of Appearance was mailed to Lois L. Sheppard, 18 Bohn Court, Baltimore, MD 21237, Petitioner.

[Signature]
Peter Max Zimmerman
Peter Max Zimmerman

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 13, 1984

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on December 13, 1984.

THE JEFFERSONIAN,

[Signature]
Publisher

85-181-A

Cost of Advertising 20.00

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

85-181-A
11:23 A.M.

District: 14th Date of Posting: 12/7/84

Posted for: Variance To Permit a private space factor of 306 sq. ft. in lieu of 500 sq. ft.

Petitioner: Lois L. Sheppard

Location of property: N/S Bohn Ct., 155' E of Trimble Way

18 Bohn Ct., 21237

Location of Sign: Signs posted on N/S Bohn Ct., approx. 5' from roadway on property of Petitioner.

Remarks:

Posted by: [Signature]

Number of Signs: 1 Date of return: 12/14/84

Petition for Variance

14th Election District

LOCATION: West side of Bohn Court, 155 feet east of the centerline of Trimble Way (18 Bohn Court).

DATE & TIME: Wednesday, January 2, 1985 at 10:45 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the Petition for Variance to permit a private space factor of 306 square feet in lieu of the required 500 square feet and to allow an amendment to the development plan by constructing the proposed deck outside of the allowable building area.

Being the property of Lois L. Sheppard, as shown on plat filed with the Zoning Department.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing and above or made at the hearing.

By Order of Arnold Jablon, Zoning Commissioner of Baltimore County

85-181-A
The Times

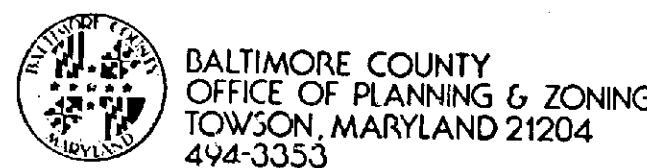
Middle River, Md., Nov 13, 1984

This is to Certify, That the annexed

[Signature]
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive

weeks before the 13th day of Jan, 1985

[Signature] Publisher.



ARNOLD JABLON
ZONING COMMISSIONER

December 21, 1984

Ms. Lois L. Sheppard
18 Bohn Court
Baltimore, Maryland 21204

RE: Petition for Variance
N/S Bohn Ct., 155' E of the c/l of
Trimble Way (18 Bohn Court)
Lois L. Sheppard - Petitioner
Case No. 85-181-A

Dear Ms. Sheppard:

This is to advise you that \$45.95 is due for advertising and posting of the above property.

This fee must be paid and our zoning sign and post returned on the day of the hearing before an Order is issued. Do not remove sign until day of hearing.

Please make the check payable to Baltimore County, Maryland, and remit to Mrs. Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 003141

DATE 12/27/84 ACCOUNT 85-1-15-113

AMOUNT \$45.95

FOR: Mrs. L. Sheppard

C 030*****45518 5273F

VALIDATION OR SIGNATURE OF CASHIER

Zoning Description

Beginning on the north side of Bohn Court 60 feet wide, at the distance of 155 feet east of the centerline of Trimble Way. Being Lot 163, Block 19, Section 2, in the subdivision of Franklin Ridge Townhouses, Book No. 39 Folio 52. Also known as 18 Bohn Court in the 14th Election District.

PETITION FOR VARIANCE 14th Election District

LOCATION: North side of Bohn Court, 155 feet East of the centerline of Trimble Way (18 Bohn Court)
DATE AND TIME: Wednesday, January 2, 1985 at 10:45 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a private space factor of 306 square feet instead of the required 500 square feet and to allow an amendment to the development plan by constructing the proposed deck outside of the allowable building area.

Being the property of Lois L. Sheppard as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Baltimore County
Zoning Commission
Court of Appeals
Towson, Maryland 21204

Wednesday 2 January 85

PETITIONER'S
EXHIBIT 1

Dear Sirs: Please let it be known to this Court of Appeals, that myself, Mr. Shirley E. Roeseke, and Mr. and Mrs. Elmer Hooper, are direct neighbors to the case in question, Ms. Lois Sheppard versus our neighborhood association, Franklin Ridge and Diana Management, Inc. Neither the Hooper's or myself are in any way against the patio deck Ms. Sheppard has erected in her backyard. Ms. Sheppard has "the" nicest kept home, both inside and outside, in the development and is an

Balto. Co. Court of Appeals
Towson, Maryland 21204

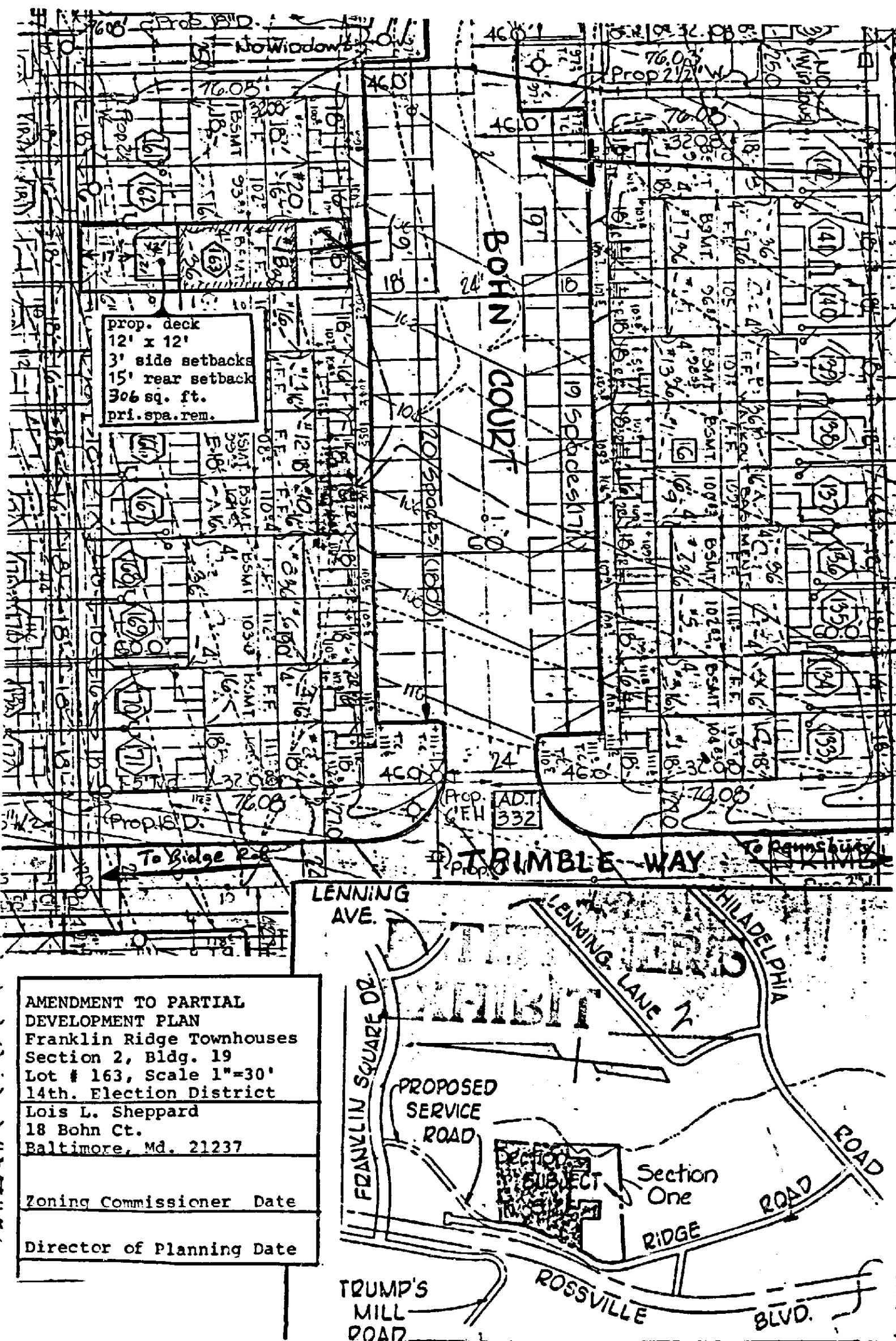
2 January 1985
Page --- 2

asset to the community. Ms. Sheppard's patio deck neither detracts in any way from the environment or impede the passage of worker's or pedestrians in the area called by the association as "right-of-way".

Also let it be known at this time, that numerous home owners in the development, along with myself and Mr. and Mrs. Hooper, feel strongly that had the Baltimore County Zoning Inspector's better performed their assigned duties at the time of construction of this

Plat for zoning variance
Owner - Lois L. Sheppard
District 14, Zoned - D.R.16
Subdivision - Franklin Ridge Townhouses
Lot 163, Block 19, Section 2
Book 39, Folio 52

#121



Balto. Co. Court of Appeals
Towson, Maryland 21204

2 January 1985
Page --- 3

development, we would not have experienced or now be experiencing the problems we have incurred in the past year and a half in which I have lived in the development. We feel we are unfairly having to pay double for services in this development; not only paying Baltimore County but Diana Management as well. However, these are issues which we will address separately at another time.

In closing, we are at a loss to understand why the association has chosen to single out one home-owner, Ms. Sheppard, and harass her in this manner. She more so than

Balto. Co. Court of Appeals
Towson, Maryland 21204

2 January 1985
Page --- 4

any other home owner in this community has beyond any doubt followed all association requirements before making any improvements to her home. Therefore we feel positively that Ms. Sheppard should be granted this change in going to permit her patio deck to remain as is; neither an eyesore or a detriment to our environment. She has suffered much anguish over this harassment, not to mention considerable financial burden, which we feel the Association - or whoever the person, or persons may be that lodged this ridiculous complaint, should have had to bear, not Ms.

Balto. Co. Court of Appeals
Towson, Maryland 21204

2 January 1985
Page --- 5

Sheppard. Please do not hesitate to contact either Mr. and Mrs. Hooper, or myself, if we can in anyway vouch further for Ms. Sheppard, in this matter. Thank you for your time in accepting our statement on behalf of and in favor of Ms. Sheppard.

Sincerely,
Shirley E. Roeseke

Ms. Shirley E. Roeseke
22 Bohn Court, #21237
(301) 771-4950, ext. 475

Elmer H. Hooper
(and) Elmer H. Hooper

Mr. and Mrs. Elmer Hooper
20 Bohn Court, #21237
(301) 686-7227